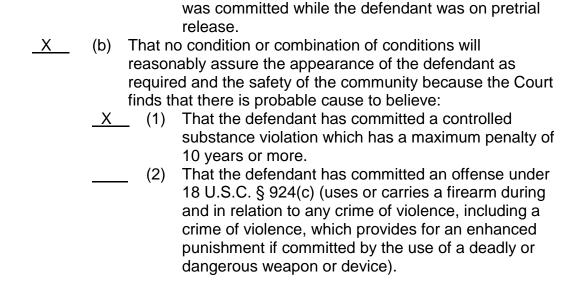
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	
Plaintiff,	8:16MJ307
VS.	DETENTION ODDED DENDING TOLAR
OSCAR MAYORGA,	DETENTION ORDER PENDING TRIAL
Defendant.	
A. Order For Detention After conducting a detention hearing pur Reform Act, the Court orders the above- U.S.C. § 3142(e) and (I).	rsuant to 18 U.S.C. § 3142(f) of the Bail named defendant detained pursuant to 18
conditions will reasonably assur required. By clear and convincing evidence	
crime and carries a m (b) The offense is a crime X (c) The offense involves	ces Report, and includes the following: of the offense charged: Methamphetamine (Actual) is a serious naximum penalty of <u>Life</u> imprisonment. e of violence. a narcotic drug. a large amount of controlled substances,
(2) The weight of the evidence X (3) The history and characterist (a) General Factors: The defendan which may aff The defendan The defendan	against the defendant is high. tics of the defendant including: at appears to have a mental condition fect whether the defendant will appear. at has no family ties in the area. at has no steady employment. at has no substantial financial resources.

	The defendant is not a long time resident of the
	community. The defendant does not have any significant community
	ties.
	Past conduct of the defendant:
	The defendant has a history relating to drug abuse.
	The defendant has a history relating to alcohol abuse.
	The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at
	court proceedings.
(b)	·
	Probation
	Parole
	Supervised Release
	Release pending trial, sentence, appeal or completion of sentence.
(c)	Other Factors:
()	X The defendant is an illegal alien and is subject to
	deportation.
	The defendant is a legal alien and will be subject to
	deportation if convicted. X The Bureau of Immigration and Customs Enforcement
	(BICE) has placed a detainer with the U.S. Marshal.
	Other:
` ` `	nature and seriousness of the danger posed by the defendant's
release are	as follows: ICE Final Order of Removal (11/28/2014).
X (5) Reb i	uttable Presumptions
	ng that the defendant should be detained, the Court also relied on
	owing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
	he Court finds the defendant has not rebutted:
<u>X</u> ((a) That no condition or combination of conditions will
	reasonably assure the appearance of the defendant as
	required and the safety of any other person and the community because the Court finds that the crime involves:
	(1) A crime of violence; or
-	(2) An offense for which the maximum penalty is life
	imprisonment or death; or
-	X (3) A controlled substance violation which has a
	maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of
-	 (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through
	(3) above, <u>and</u> the defendant has a prior conviction
	for one of the crimes mentioned in (1) through (3)
	above which is less than five years old and which



D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 4th day of October, 2016.

BY THE COURT:

s/ F.A. Gossett, III United States Magistrate Judge